

Art Unit: 3765

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Philip Polster on 15 July 2010.

The application has been amended as follows:

In the Claims:

Claim 1, line 5:

DELETED: "a different material"

INSERTED: --fibers selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

Claim 4, line 1:

DELETED: "plastic"

INSERTED: --PCR-PET--

Claim 5: **DELETED**

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Claim 20, line 5:

DELETED: “formed of a material different from the inner helix”

INSERTED: --, at least one of the inner helix and outer helix comprising fibers selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

Claim 21: **DELETED**

Claim 22, lines 3-4:

DELETED: “and a cover comprising an inner helix and an outer helix”

INSERTED: --the sheath comprising PCR-PET, and a cover comprising an inner helix and an outer helix, the outer helix being formed of a material different from the inner helix, the outer helix comprising fibers selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

Claim 23: **DELETED**

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Claim 24: **DELETED**

Claim 25: **DELETED**

Claim 28, after line 5:

INSERTED: --, the cover comprising fibers selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

Claim 29: **DELETED**

Claim 30, lines 4-5:

DELETED: “one of the layers being predominantly one of the staple fibers, and the other layer being predominantly the other”

INSERTED: --an inner layer over the core being predominantly PCR-PET and the other layer being predominantly a fiber selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

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Claim 32: **DELETED**

Claim 33: **DELETED**

Claim 34, line 1:

DELETED: “claim 33”

INSERTED: --claim 30--

Claim 35: Line 4, after the phrase “over the core, ”

INSERTED: --the first staple fiber being PCR-PET, --

Line 5, after the phrase “the intermediate yarn”

INSERTED: --, the second staple fiber being selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, nylon, aramid, and natural fibers--

Claim 36: **DELETED**

Claim 37: **DELETED**

Claim 39, line 1:

DELETED: “claim 33”

INSERTED: --claim 38--

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Claim 40: Lines 2-3, after the phrase “spun staple fibers of”

DELETED: “different compositional makeup than the second sheath”

INSERTED: --PCR-PET--

Line 5, after the phrase "one other material "

INSERTED: --selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

Claim 42, line 4: After the term “core, ”

INSERTED: --the first staple fiber comprising PCR-PET, --

Claim 43: **DELETED**

Claim 44, line 1:

DELETED: “claim 41”

INSERTED: --claim 42--

Claim 45: **DELETED**

Claim 46: **DELETED**

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Claim 47: **DELETED**

Claim 48: **DELETED**

Claim 49, line 7: After the term “portion”

INSERTED: --, the outer portion comprising fibers selected from the group consisting of fire retardant fibers, moisture management fibers, bacterial resistant fibers, ultraviolet ray resistant fibers, low surface friction fibers, textured fibers, high-tenacity fibers having a tenacity greater than five grams per denier, nylon, aramid, and natural fibers--

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 June 2010 has been entered.

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Allowable Subject Matter

3. Claims 1, 4, 6-18, 20, 22, 26-28, 30, 31, 34, 35, 38-40, 42, 44, 46, and 49-52 are allowed.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaun R. Hurley whose telephone number is (571) 272-4986.

The examiner can normally be reached on Mon - Fri, 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shaun R Hurley
Primary Examiner
Art Unit 3765

SRH
15 July 2010

/Shaun R Hurley/
Primary Examiner, Art Unit 3765